

Larkin, Arthur (Law)

From: Larkin, Arthur (Law)
Sent: Friday, July 19, 2013 3:39 PM
To: 'JChasan@legal-aid.org'
Subject: Re: Class notice in Nunez

Jonathan:

My understanding as of the end of last week is that the notice was posted as required. However, I will raise with our client the issues in your message, and will get back to you next week.

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From: Chasan, Jonathan [mailto:JChasan@legal-aid.org]
Sent: Friday, July 19, 2013 03:14 PM
To: Larkin, Arthur (Law)
Subject: Class notice in Nunez

Arthur:

I visited GRVC and RNDC yesterday with my student interns, and was met by Commissioner Schriro at RNDC.

The Department's continuing non-compliance with the order requiring posting of class notice is obvious and profoundly troubling.

The Department is required to certify today, June 19, that all notices are posted as required by the Court's March 19 Order.

In MHAUII, 11 building at GRVC, the class notice was not visible. We were not permitted to enter the intake area there, so I have no idea if the notice is posted in the receiving room or in other housing areas in that jail.

At RNDC, the notice was not posted in the receiving room, as it was ordered to be. It was on the wall outside the intake area, where inmates would not have an opportunity to read it since they would pass it on entering or exiting intake. In order for inmates to be able to read the notice in intake, it needs to be posted in the pens since inmates are not free to remain in the common areas outside the pens. This should be done in all DOC facilities.

In RNDC 3 Lower North and 3 Central North, the notice was not in the housing areas. It was posted between the A and B gates, which inmates pass through to enter or leave the house. And it was posted very high on the walls, which made it impossible to view.

It is obvious, and profoundly troubling, that Department staff remain non-compliant with Judge Francis' Order. You should provide us, as soon as possible, no later than ten days from today, with written confirmation that the notice is, in fact, being moved to prominent locations in the intake and housing areas, including the intake pens, and on the walls in either the housing area dayrooms or adjacent to the telephones, where it is readily visible to inmates, and in the law libraries.

If you are not willing to take these steps, please advise us and we will raise the issue with Judge Francis.

Thank you.

Jonathan Chasan

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